

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

GAVIN SPELLMEYER,

Plaintiff,

v.

**PORTFOLIO RECOVERY
ASSOCIATES, LLC,**

Defendant.

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CASE NO. 2:20-cv-943

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that on this date, Defendant Portfolio Recovery Associates, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. Portfolio Recovery Associates, LLC is a defendant in a civil action originally filed on or about April 23, 2020, in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Gavin Spellmeyer v. Portfolio Recovery Associates, LLC* and docketed to Case No. AR-20-001615.

2. The removal is timely under 28 U.S.C. § 1446(b). PRA received service of process by certified mail on May 26, 2020.

3. Pursuant to 28 U.S.C. § 1446, attached here as Exhibit A are copies of all process, pleadings, and orders received by PRA in the state court action.

4. The District Court¹ has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against PRA alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

5. On this date, PRA has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant Portfolio Recovery Associates, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

MESSER STRICKLER, LTD.

By: /s/ Lauren M. Burnette
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Counsel for Defendant

Dated: June 24, 2020

¹ Although Plaintiff filed his lawsuit in Allegheny County, thus requiring Defendant to remove the case to this Court, the face of Plaintiff's Complaint demonstrates that Plaintiff's claims arose from conduct that occurred in Lehigh County, which lies within the jurisdiction of the United States District Court for the Eastern District of Pennsylvania.

CERTIFICATE OF SERVICE

I certify that on June 24, 2020, a true copy of the foregoing document was served as follows:

Via Email and U.S. Mail, Postage Prepaid

Joshua P. Ward, Esq.
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Counsel for Plaintiff

Via Electronic Filing

Court of Common Pleas
Allegheny County
414 Grant St.
Pittsburgh, PA 15219

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